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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,534	06/27/2001	Jeong Hyun Kim	8733.469.00	3209
30827	7590	10/18/2005		
MCKENNA LONG & ALDRIDGE LLP 1900 K STREET, NW WASHINGTON, DC 20006			EXAMINER TON, MINH TOAN T	
			ART UNIT 2871	PAPER NUMBER

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/891,534

Applicant(s)

KIM ET AL.

Examiner

Toan Ton

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-19,22-41,43-49 and 51-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-19,22-41,43-49 and 51-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-6, 8-19, 22-41, 43-49 and 51-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okibayashi (US 5504599) in view of Yokoyama et al (US 650379).

Okibayashi discloses a liquid crystal display (LCD) device comprising [see at least Figures 1(1) and 1(2)] and a method of manufacturing a liquid crystal display device: a first substrate 22 and a second substrate 21; an insulating layer 26/31a (inorganic material) on a first side (external side) of the first substrate; a light emitting structure including a light emitting layer on the insulating layer and disposed at least in a display region; a second insulating layer 29a/29b and a protective layer 27 formed over the entire surface of the light emitting structure; a common electrode (inherently) formed on a surface of the second substrate; a liquid crystal layer 21 sandwiched between the first and second substrates; the light emitting structure sharing the first substrate with the liquid crystal structure (within the same context as Applicant's, e.g., Figure 2 of the present invention).

Okibayashi discloses the light-emitting element including a first electrode 28, a light emitting element 30 and a second electrode 32.

Okibayashi discloses each substrate having a transparent electrode disposed thereon, wherein materials such as ITO (indium tin oxide) are common and known for advantages such as

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high transparency. Therefore, it would have been obvious to one ordinary skill in the art to employ materials such as ITO for its electrode for advantages such as high transparency.

The limitations not explicitly disclosed by Yokoyama are: organic light emitting element, the use of thin film transistors, the substrates performing polarization function, the first substrate in direct contact with the light emitting structure.

Yokoyama discloses a liquid crystal display device comprising: a liquid crystal panel having a liquid crystal layer sandwiched between a pair of substrates; an organic EL element comprising aluminum tris disposed outside the surface of one of the substrates and at least in a display region, the organic EL element comprising a dielectric multi-layer film 121, a transparent electrode 123, a reflecting electrode 126, a hole transport layer 124, an organic luminescent layer 125. Yokoyama discloses that such organic EL devices employing inorganic materials yield disadvantages such as high driving voltages (col. 1, lines 47-57). Therefore, it would have been obvious to one of ordinary skill in the art to employ organic EL element(s) for advantages such as low driving voltages.

The use of thin film transistors disposed on an inner side of the substrate is common and known in the art for several advantages such as cross-talk reduction. Therefore, it would have been obvious to one of ordinary skill in the art to employ thin film transistors for advantages such as cross-talk reduction.

The use of polarizing means is common and known in the art for advantages such as high contrast. Yokoyama discloses the device comprising a polarizer disposed on each of the substrates. It is known and a common goal in the art to minimize components, thus resulting in several advantages such as a thinner display, which is accomplished by eliminating extra layers.

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Forming a substrate and a polarizer as a single layer that perform the functions of both with only one layer. Therefore, it would have been obvious to one having ordinary skill in the art to combine the substrate and the polarizer into a single layer (that performs the functions of both) for several advantages such as thinner display.

It has been known in the art that gap(s) existing between layers yields disadvantages such as parallax effect, and thus it has been known in the art to art to minimize or eliminate such gap. Therefore, it would have been obvious to one of ordinary skill in the art to employ the substrate of the LCD panel in direct contact with the light emitting structure for advantages such as reducing parallax effect.

The use of an organic material (e.g., polycarbonate, polyimide) for the substrate is common and known in the art for several advantages such as high flexibility, lighter-device. Therefore, it would have been obvious to one having ordinary skill in the art to employ an organic material (e.g., polycarbonate, polyimide) for the substrate for several advantages such as high flexibility, lighter-device.

The use of color filters is common and known for achieving a color display device. Therefore, it would have been obvious to one having ordinary skill in the art to employ color filters for achieving a color display device.

The use of other light emitting structures such as LED is at least an obvious (i.e., not distinct) variation to one of ordinary skill in the art.

The use of a black matrix is common and known for advantages such as good resolution. Therefore, it would have been obvious to one having ordinary skill in the art to employ a black matrix for advantages such as good resolution.

***Response to Arguments***

3. Applicant's arguments filed 07/29/05 have been fully considered but they are not persuasive.

Applicant asserted that prior art fails to disclose an (inorganic) insulating layer on a first side of a first substrate, the organic light-emitting element sharing the first substrate with the TFT array substrate/liquid crystal cell structure.

Okibayashi discloses a liquid crystal display device comprising [see at least Figures 1(1) and 1(2)]: a first substrate 22 and a second substrate 21; an insulating layer 26/31a (inorganic material) on a first side (external side) of the first substrate; a light emitting structure including a light emitting layer on the insulating layer, the light emitting structure sharing the first substrate with the liquid crystal structure (*within the same context as Applicant's, e.g., Figure 2 of the present invention*). Yokoyama discloses a liquid crystal display device comprising: a liquid crystal panel having a liquid crystal layer sandwiched between a pair of substrates; an organic EL element comprising aluminum tris disposed outside the surface of one of the substrates (see at least Figure 4), wherein organic EL element comprising a dielectric multi-layer film 121, a transparent electrode 123, a reflecting electrode 126, a hole transport layer 124, an organic luminescent layer 125. Yokoyama discloses that such organic EL devices employing inorganic materials yield disadvantages such as high driving voltages (col. 1, lines 47-57). Therefore, it would have been obvious to one of ordinary skill in the art to employ organic EL element(s) for advantages such as low driving voltages.

Applicant asserted the prior art fails to disclose the substrate performing an additional function of polarization. The use of polarizing means is common and known in the art for

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advantages such as high contrast. Yokoyama discloses the device comprising a polarizer disposed on each of the substrates. It is known and a common goal in the art to minimize components, thus resulting in several advantages such as a thinner display, which is accomplished by eliminating extra layers. Forming a substrate and a polarizer as a single layer that perform the functions of both with only one layer. Therefore, it would have been obvious to one having ordinary skill in the art to combine the substrate and the polarizer into a single layer (that performs the functions of both) for several advantages such as thinner display.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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***Contact Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan Ton whose telephone number is (571) 272-2303.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 13, 2005

  
**TOANTON  
PRIMARY EXAMINER**